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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,548	01/04/2002	Lev Korenevsky		7129

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EXAMINER

BALSIS, SHAY L

ART UNIT	PAPER NUMBER
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1744

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/037,548
Filing Date: January 04, 2002
Appellant(s): KORENEVSKY, LEV

Lev Korenevsky
For Appellant

EXAMINER'S ANSWER

MAILED
SEP 13 2005
GROUP 1700

Art Unit: 1744

This is in response to the appeal brief filed 8/29/05 appealing from the Office action mailed 3/24/04.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2,766,473	Thackara	10-1956
4,467,509	Dezen	8-1984
3,745,624	Newman	7-1973

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-3 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Thackara (USPN 2766473).

Thackara teaches a paint roller frame comprising a shaft (11) having a handle (10) on one end and a roller cage mounted on the opposite end. The roller cage assembly is generally perpendicular to the handle portion. The roller cage has a bearing portion (16) and an outer portion (25). The bearing portion is mounted on the shaft that is passing through an opening in the bearing portion. The bearing portion has a supporting surface (17) to support the paint roller sleeve and an inner face (19) against which an inner end of the roller sleeve core can be urged to prevent the paint roller sleeve from axial sliding. The outer portion has a supporting surface (26) to support the paint roller sleeve and an outer face (28) against which an outer end surface of the roller sleeve core can be urged to prevent the paint roller sleeve from axially sliding. The bearing portion and the outer portion comprise a mating connection to ensure tight trapping of the core. The outer portion and the bearing portion are connected by means of an axle (13). The outer portion is connected to the axle by a u-shaped spring clamp (27) and the bearing portion is connected by means of a projection (22, 23). There are two resilient integral washers (17, 26) adjacent to the inner and outer faces to ensure a tight fit. The roller cage can be removed from the shaft for maintenance or replacement of parts.

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Claims 1-4, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Newman (USPN 3745624).

Newman teaches a paint roller frame comprising a shaft (10) having a handle (12) on one end and a roller cage mounted on the opposite end. The roller cage assembly is generally perpendicular to the handle portion. The roller cage has a bearing portion (26) and an outer portion (48). The bearing portion is mounted on the shaft that is passing through an opening in the bearing portion. The bearing portion has a supporting surface (26) to support the paint roller sleeve and an inner face (40) against which an inner end of the roller sleeve core can be urged to prevent the paint roller sleeve from axial sliding. The outer portion has a supporting surface (48) to support the paint roller sleeve and an outer face (56) against which an outer end surface of the roller sleeve core can be urged to prevent the paint roller sleeve from axially sliding. The bearing portion and the outer portion comprise a mating connection to ensure tight trapping of the core. The outer portion and the bearing portion are connected by means of an axle (18, 44). The outer portion is connected to the axle by projections on the axle (36) and the bearing portion is connected by means of a friction fit. There are two resilient integral washers (48, 56) adjacent to the inner and outer faces to ensure a tight fit. Additionally, there is another washer (38) adjacent the bearing portion. The length of the roller cage assembly is adjustable by repositioning of the roller cage parts allowing for the same roller frame with roller sleeves of different lengths. The roller cage can be removed from the shaft for maintenance or replacement of parts. Newman further teaches a hook that is located near the end of the shaft's handle portion that is closest to the roller sleeve.

Claims 1-4, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Dezen (USPN 4467509).

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Dezen teaches a paint roller frame comprising a shaft (30) having a handle on one end and a roller cage mounted on the opposite end. The roller cage assembly is generally perpendicular to the handle portion. The roller cage has a bearing portion (36) and an outer portion (40). The bearing portion is mounted on the shaft that is passing through an opening in the bearing portion. The bearing portion has a supporting surface (50) to support the paint roller sleeve and an inner face (46) against which an inner end of the roller sleeve core can be urged to prevent the paint roller sleeve from axial sliding. The outer portion has a supporting surface (66) to support the paint roller sleeve and an outer face (48) against which an outer end surface of the roller sleeve core can be urged to prevent the paint roller sleeve from axially sliding. The bearing portion and the outer portion comprise a mating connection to ensure tight trapping of the core. The outer portion and the bearing portion are connected by means of an axle (28). The outer portion and bearing portion are both connected to the axle by means of a circlip (60, 72). There are two resilient integral washers (46, 48) adjacent to the inner and outer faces to ensure a tight fit. Additionally, there are other washers (62, 74) adjacent the outer and bearing portion to further prevent leakage. The length of the roller cage assembly is adjustable by repositioning of the roller cage parts allowing for the same roller frame with roller sleeves of different lengths (abstract). The outer portion is adjusted axially to tightly grip the roller. The roller cage can be removed from the shaft for maintenance or replacement of parts.

(10) Response to Argument

The examiner's comments will address the appellant's arguments as they appear in the brief.

With regards to claims 1-3 and 6 as being rejected by Thackara, the appellant argues that the two end units are *independently mounted on the shaft (axle, spindle) while in my design the*

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end units are attached to each other via a mating connection. The examiner would like to point out figures 1 and 2 of Thackara.

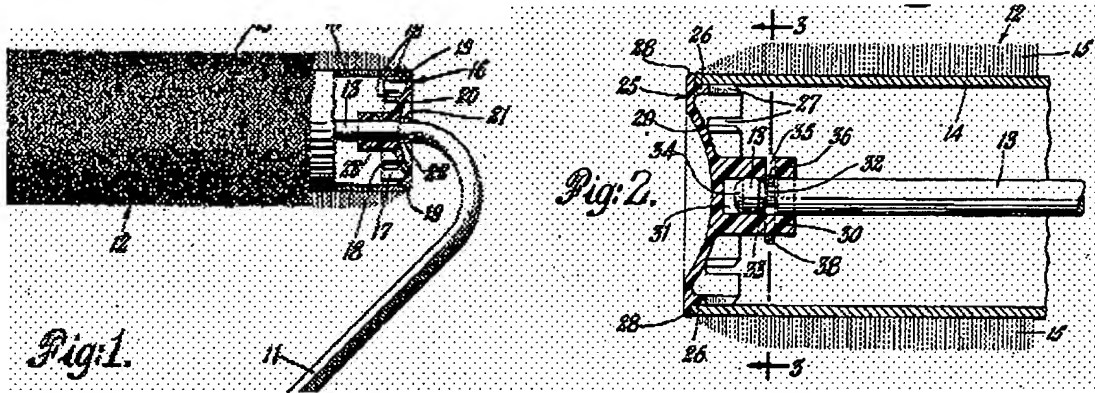


Figure 1 shows one end of the paint applicator and figure 2 shows the other end. The appellant is correct in stating that the end units of Thackara are independently mounted on the shaft, however the two end units are in mating connection with each other. The term “mating connection” does not limit the connection to being directly mated together. A mating connection could refer to any elements that are connected together by some means, whether it is directly or indirectly. Thackara teaches end units that are indirectly connected.

With regard to claims 1-4, 6 and 8 as being rejected by Newman, the appellant argues that the two end units are *independently mounted on the shaft (axle, spindle) while in my design the end units are attached to each other via a mating connection.* The examiner would like to point to figure 2 of Newman.

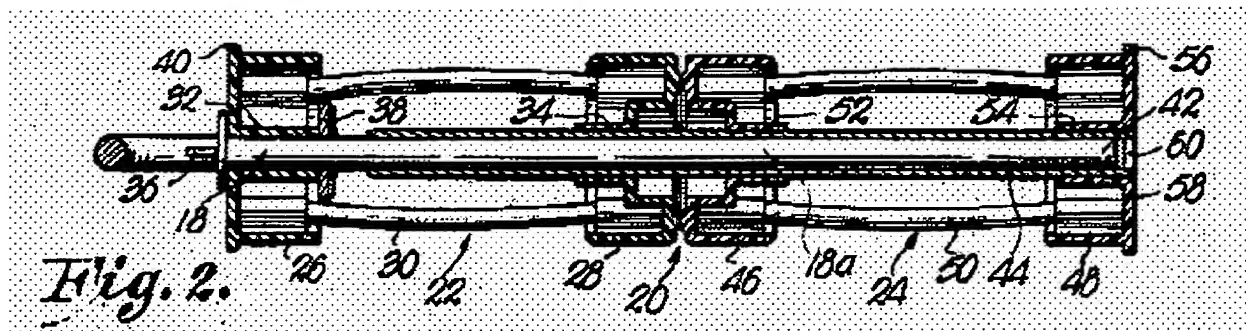
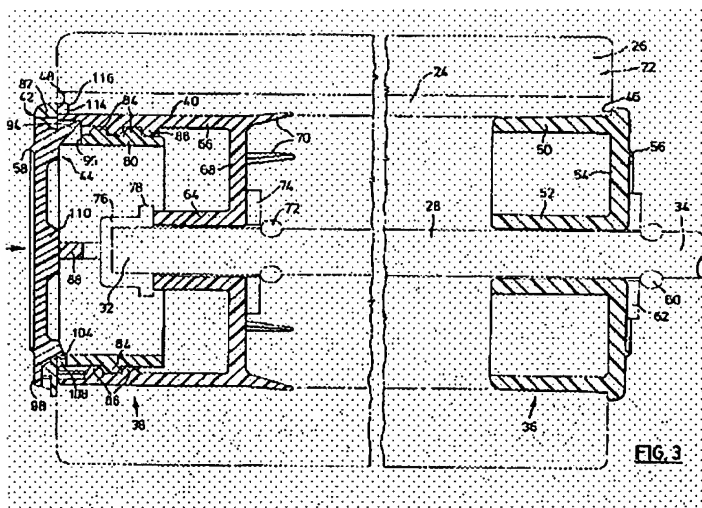


Figure 2 shows both ends of the paint applicator connected together by the shaft (18). The appellant is correct in stating that the end units of Newman are independently mounted on the shaft, however the two end units are in mating connection with each other. The term “mating connection” does not limit the connection to being directly mated together. A mating connection could refer to any elements that are connected together by some means, whether it is directly or indirectly. Newman teaches end units that are indirectly connected.

With regard to claims 1-4 and 6 as being rejected by Dezen, the appellant argues that the two end units are *independently mounted on the shaft (axle, spindle) while in my design the end units are attached to each other via a mating connection*. The examiner would like to point to figure 3 of Dezen.



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Figure 3 shows both ends of the paint applicator connected together by the shaft (28). The appellant is correct in stating that the end units of Dezen are independently mounted on the shaft, however the two end units are in mating connection with each other. The term “mating connection” does not limit the connection to being directly mated together. A mating connection could refer to any elements that are connected together by some means, whether it is directly or indirectly. Dezen teaches end units that are indirectly connected.

Additionally, the appellant argues that the above references are unable *to achieve a strong permanent squeeze of the roller sleeve*. The examiner would like to point out that the claims, specification or drawings do not point out what determines a strong permanent squeeze. The references must be capable of a strong permanent squeeze; otherwise the roller sleeve would not stay on the paint applicator, thus defeating the purpose of the paint applicator. There is no teaching that the squeeze provided by the appellants end units is any better or stronger than the squeeze provided by the prior art.

The appellant further argues that the *basic idea of my invention is to directly connect the end units that squeeze the roller sleeve without any participation from the shaft or the sleeve*. This argument provides limitations for the mating connection, however those limitations are not claimed. The claim language only states “mating connection,” not a direct mating connection without any participation from the shaft or the sleeve. Therefore, since those limitations are not included in the claim, the term “mating connection” must be given the broadest reasonable interpretation. This includes any elements that are connected by some means, either directly or indirectly.

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For the above reasons, it is believed that the rejections should be sustained:

Respectfully submitted,

Shay Balsis



Conferees:

John Kim 

Roy King


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